

## HALL COUNTY BOARD OF SUPERVISORS MEETING MAY 17, 2005

The Hall County Board of Supervisors met May 17, 2005, by published call in the county board meeting room, 121 South Pine, Grand Island.

CALL TO ORDER - The meeting was called to order by Chairman Pamela Lancaster.

INVOCATION - Invocation was given by Chairman Pamela Lancaster.

PLEDGE OF ALLEGIANCE – The Pledge of Allegiance was given in unison.

ROLL CALL - Present on roll call were Scott Arnold, Jim Eriksen, Richard Hartman, Bob Humiston, Bud Jeffries, Pamela Lancaster and Robert Rye. Also present was a representative from the *Grand Island Independent* and Deputy County Attorney Michelle Oldham.

CONSENT AGENDA ITEMS – Eriksen made a motion and Jeffries seconded to approve the following by consent agenda:

1. Accept & place on file the minutes from the May 3<sup>rd</sup> meeting
  2. 7 Approve the Homeland Security Grant award agreement in the amount of \$41,644.00 and authorize the chair to sign the agreement
  3. 15a Approve the final plat and Resolution #05-0016 for B&D Subdivision
  4. 17 Approve the amusement license for the Hall County Ag Society
  5. 19 Ratify the local disaster declaration
  6. 20 Approve the budget letter to elected & appointed officials
  7. 23 Accept and place on file the office reports from Hall County Sheriff, Hall County Clerk of District Court, Hall County Juvenile Services, Hall County Court and County Clerk
  8. 24 Accept and place on file the Hall County Treasurers Miscellaneous receipts
  9. 25 Accept and place on file communications as received.
- . Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

### OFFICE REPORT HALL COUNTY SHERIFF MARCH 2005

TOTAL FEES MILEAGE & MISC	\$16,376.11
COPIES	38.00
HANDGUN APPLICATIONS	60.00
TITLE INSPECTIONS	3,370.00

OFFICE REPORT  
HALL COUNTY CLERK OF THE DISTRICT COURT  
APRIL 2005

COURT COSTS	\$2,344.44
10% BOND	100.00
FINES	1,670.81
COURT APPOINTED ATTNY FEES	0
COPIES & POSTAGE	339.38
INTEREST	718.34
BOND FORFEITURE	12,150.00

OFFICE REPORT  
May 2005

TITLE FEES STATE	\$15,473.00
TITLE FEES COUNTY	\$ 8,121.00
RECORDING FEES	\$ 10.00
MARRIAGE LICENSES	\$ 405.00
PHOTO FEES/FAX FEES & MISC.	\$ 6.55
PLAT BOOKS/OTHER	\$ 54.00
CERTIFIED COPIES MARRIAGE LICENSES	\$ 125.00
POSTAGE	\$ .00
TIME CARD FEES	\$ .00
TOTAL	<b><u>\$24,214.55</u></b>

OFFICE REPORT  
HALL COUNTY JUVENILE SERVICES  
APRIL 2005

JUVENILE REFERRALS	30 JUVENILES
JUVENILE OFFENDERS	1 JUVENILE
JUVENILE HOUSE ARREST	2 JUVENILES
TOTAL UNDER SUPERVISION	215 JUVENILES
FEES COLLECTED	\$1005.00

OFFICE REPORT  
HOWARD COUNTY JUVENILE SERVICES  
APRIL 2005

JUVENILE REFERRALS	2 JUVENILES
TOTAL JUVENILE ENROLLEES	5 JUVENILES
FEES COLLECTED FOR MONTH	\$25.00
TOTAL FEES COLLECTED FISCAL YEAR	\$1,800.00

OFFICE REPORT  
COUNTY COURT  
APRIL 2005

FINES (CO.)	\$ 51,098.50
OVERLOAD FINES	475.00
REIMBURSE SHERIFF FEES	1,533.92
WORK RELEASE FEES	1,310.00
REIMBURSE FAX COPIES	.00
FINES (CITY)	8,117.00
REIMBURSE WITNESS FEES	780.02
BOND FORFEITURES	2,532.78
REIMBURSE CO. FEES	69.50
TOTAL	\$65,916.72

PUBLIC PARTICIPATION – Louise Miller 1104 West Charles requested to speak to the board she commented that the homeland security will not protect it just offers more control. She also expressed concern regarding Hall County Park and stressed that the board should not negotiate to give the Hall County Park to the City of Grand Island.

5a DISCUSS & APPROVE STOP SIGN RESOLUTION FOR DIRECTIONAL TRAFFIC CHANGE FROM EAST-WEST STOP TO NORTH-SOUTH STOP INTERSECTION AT CEDERVIEW ROAD & STUHR ROAD – County Surveyor Dan Hostler was present and stated that he took a traffic county for one day and it showed that the traffic should stop according to the original resolution. Then he did a second traffic county for three days and it showed that it should be changed.

Arnold made a motion and Jeffries seconded to change the directional stop sign and approve Resolution #05-0017. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

9 HALL COUNTY PARKS & CORPS OF ENGINEERS DISCUSS PROJECT AT HALL COUNTY PARK – Jeffries stated that last week Chuck Kaufmann called him and they met at the park with Central Platt NRD and the Corps of Engineers. The dike at the park is owned by Central Platte NRD and there is a concern regarding the large trees beside the dike. If the trees were to be blown down in a storm it may compromise the dike. The Corp is proposing to take out all of the large trees 20 feet from the center of the road on either side of the dike. The trees that are removed will be replaced with windbreak trees. There is also talk of taking out the entire dike and replacing it, if that is done they will rebuild the dike and put a hike and bike trail on the side. They may wait until fall to start this work.

Jeffries made a motion and Arnold seconded to authorize the committee to work with the Corps of Engineers on the dike and trees issue at the Hall County Park. . Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

10 UPDATE ON DONIPHAN ROAD – Hartman placed this on the agenda and questioned if anything has been done. Jeffries stated that nothing has changed but it was suggested that keno funds be used to do this project. This may be put on hold because of the storm damage.

11 DISCUSS REQUEST FOR ENDORSEMENT TO ESTABLISH NEBRASKA USED OIL COLLECTION PROGRAM IN HALL COUNTY – Allen Grell sent a letter to Hall county requesting the establishment of a used oil collection in Hall County. Paul Briseno from the City of Grand Island requested to address this issue. He stated that the City was also approached about placing an oil collection facility at the Aurora Coop and he did a study of the current collection points in Hall County. There are 9 locations and all of the locations used the oil to burn for heat in the winter. They have also researched the possibility to procure grant dollars to establish a facility at the Hall County Transfer Station. He sees this proposal as a duplication of services. The City and Clean Community Systems have created a business plan and submitted a grant to the Nebraska Department of Environmental Quality and if the grant is approved this collection facility will be part of the current transfer station.

Discussion was held if this would be a duplication of services if they obtain the oil from the rural areas and not just from within the city. Jeffries stated that this was discussed before and it seems to be working and he does not see the need to change it.

Hartman expressed concern that if this is established in Hall County and the grant dollars run out how would it be funded.

Arnold stated that this only a letter of endorsement and he does not feel that the Aurora Coop collection will hurt the City's current program.

Mr. Briseno stated that he sent a letter to Keep Nebraska Beautiful and informed them that they do not want to duplicate services in Hall County.

This discussion will be continued after the public hearing.

4. PUBLIC HEARING FOR APPROVAL OF PLANNED UNIT DEVELOPMENT FINAL DEVELOPMENT PLAN FOR BELLAMSY FIRST SUBDIVISION CONSISTING OF 5 LOTS – Jeffries made a motion and Eriksen seconded to open the public hearing. . Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Regional Planning Director Chad Nabity was present and stated that this is the development of the first phase of the subdivision consisting of the first 5 lots. This development is consistent with the preliminary plan and a plat is proposed. The Nebraska Department of Environmental Quality has approved the septic systems on these lots and they have signed the subdivision agreement. There is resolution that has been prepared to be approved.

Chairman Lancaster called public participation.

No one responded.

Chairman Lancaster called public participation.

No one responded.

Jeffries made a motion and Eriksen seconded to close the public hearing. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none

Jeffries made a motion and Hartman seconded to authorize the chair to sign the subdivision agreement. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

15 a Jeffries made a motion and Hartman seconded to approve Resolution #05-0019 regarding the final development plan of Bellamy Subdivision. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

11 CONTINUED DISCUSSION REGARDING ENDORSEMENT TO ESTABLISH NEBRASKA USED OIL COLLECTION – Hartman expressed concern that the people in Hall County that use the oil may not have it anymore. He questioned if this would be the only facility in Central Nebraska.

Hartman made a motion and Jeffries seconded. to reject the request for endorsement of the used oil collection facility.

Eriksen stated that Aurora Coop only provides the trailer and they take care of disposing of the oil. They currently serve Hamilton County and Howard County, now they are requesting to serve Hall County.

Arnold requested that the board reconsider making the motion to reject the request and do not disapprove it just not take any action.

Jeffries withdrew this second on the motion to reject but Hartman did not withdraw his motion. Lancaster called for a second to the motion and no one responded. Motion failed for the lack of a second. The board will not send a letter of endorsement.

12 DISCUSS & APPROVE KENO APPLICATION PROCESS FOR 2005-2006 – Lancaster questioned if the board members will support the keno application process or because of the limited funds they want to address the process. The keno applications are directly related to item 18 regarding the road repair on the agenda and will be discussed later.

13 DISCUSS & APPROVE RFP FOR PHONE SERVICES FOR JAIL AND INMATE MEDICAL SERVICES FOR THE JAIL – correction Director Dave Arnold stated that these two vendor contracts would expire on June 30<sup>th</sup> and he would like to put both contracts out for bids. He is requesting the board to approve the RFP and set the bid opening for May 31<sup>st</sup>. The RFP is same as the one that was used before. Arnold questioned if this would be enough time to advertise. It is necessary to give the vendors 60 days notice so it would have to be done quickly.

Jeffries made a motion and Hartman seconded to set the bid openings for the inmate phone services for May 31<sup>st</sup> at 10:00 a.m. and the inmate medical bid opening for May 31<sup>st</sup> at 10:15 a.m. The bids will be due to the County Clerk by 5:00 p.m. on Friday May 29<sup>th</sup>. The board requested that the Deputy County Attorney Michelle Oldham review the RFP's. Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

10:00 A.M. PUBLIC HEARING FOR APPROVAL TO ESTABLISH A COUNTY VISITOR IMPROVEMENT FUND AND ASSESS AN ADDITIONAL 2% LODGING TAX – Jeffries made a motion and Arnold seconded to open the public hearing. . Arnold, Eriksen, Hartman Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

This proposes to create a county visitor improvement fund and to increase the lodging tax. The funds would be used to complete the Heartland Events Center.

Chairman Lancaster called for public participation.

Mayor Jay Vavricek was present and encouraged the board to approve this recommendation to expand the 2% lodging tax. This fund will be able to offer funding to complete the Heartland Events Center. It is impossible to market the facility if the meeting rooms and other important components are not completed. This is the final phase of the construction and he is asking for the board's support.

Chairman Lancaster called for public participation.

Gene McCloud was present and stated that he owns Super Eight Motel and on the behalf of other hotel owners is in support of the resolution to establish the fund. They are trying to secure a 2 million dollar loan to complete the meetings rooms for the Events Center the dollars received from the additional lodging tax will be used for payment of this debt. Once the loan is paid the tax goes away.

The resolution that has been prepared is not specific regarding the intent to use the tax for the payment of the debt it only establishes the fund.

Chairman Lancaster called for public participation.

Louise Miller 1104 West Charles stated in the past the Mayor said they would not use tax dollars to support the civic center.

Hartman stated that when he was Chairman of the County Board he also did not want to use tax dollars. He questioned if the 1 million that the county is contributing isn't tax dollars?

Lancaster stated that the county is using gambling dollars. Now, it is only a couple times a year that the hotels and motels are full if there are more events this may change and increase the tourism dollars in Hall County. The lodging tax dollars are used to promote Grand Island.

Arnold also noted that the county has not committed tax dollars and he sees this as a good opportunity to establish the fund to help pay off the debt.

Chairman Lancaster called for public participation.

Doyle Hulme, Lincoln, Nebraska stated his interest stemmed from the efforts of his parents on the county fair board and he remembers the open-air performances. He is asking for the county's support of this lodging tax fund.

CVB Director Renee Seifert stated that the Visitor Promotion Committee also made the recommendation to approve this. It is very important that the entire complex is completed so it will be possible to support large groups and conferences. The upcoming fire school will generate over 5000 room nights. This is the size of groups that they want to be able to draw and to do that it is important to start promoting the center. These types of groups also generate sales tax. She is recommending to approve this resolution.

Deputy County Attorney Michelle Oldham stated that she worked with the visitors committee to prepare the resolution. The resolution is not specific how the dollars are

spent but the board can consult with the visitors committee regarding this issue. The motion the board that the board makes can clarify this issue.

Hugh Minor, #51 Ponderosa, gave a presentation to the county board showing where the funding is coming from. In 1976 a public hearing was held to start an events center but was dropped because there was not adequate interest. Two other attempts were made to make this happen but were not successful. It has taken four years to develop and there are many supporters, there is money from City, County and State, 44% is from governmental sources. The additional dollars that are needed will complete the meetings rooms and locker rooms for sporting events. He stated that they would have a tenant if these rooms were included in the facility. They may also have state tournaments in the facility. It is important to keep the facility active to generate a cash flow. This project will promote Grand Island and the motel rooms are filled it will generate revenue, it is important to move forward with this project.

Hartman questioned if there would be a space for ag-related activities. Mr. Minor stated that this will not help with the fair activities but he would like to address this issue some time.

Jeffries stated that this will not only be a benefit to the motels it will benefit everyone.

Chairman Lancaster called for public participation.

Hartman stated that he would support it if something were done with the ag issues.

Larry Toner, 2121 West Charles came to Grand Island because of agricultural products and he thanked the board for their support.

Chairman Lancaster called for public participation and no one responded.

Arnold made a motion and Jeffries seconded to close the public hearing. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Jeffries made a motion and Arnold seconded to approve Resolution 05-0020 a resolution creating a County Visitors Improvement Fund and imposing an additional sales tax of 2% upon the total consideration charged for occupancy of any space furnished by any hotel. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

Jeffries made a motion and Eriksen seconded that the 2% be levied for a maximum of 15 years to go for the payment of the completion of the civic center. Arnold, Eriksen, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Hartman abstained.

COUNTY ASSESSOR – County Assessor Jan Pelland stated that she received notice of hearing for three TERC appeals. These hearings are set for August. She will need to bring this to the board to discuss the litigation in executive session. This will be on the next agenda.

She stated that at the board of equalization workshop it was discussion was held on LB15 that was a clean up bill for the Tax Equalization and Review Commission. It was signed with the emergency clause and went into effect on March 10<sup>th</sup>. This bill eliminated the County's opportunity to file an appeal regarding an order. Mark Reynolds brought this to the attention of the people attending the workshop and encouraged them to get NACO regarding this law. The county should have the opportunity to appeal an order.

Pelland stated that the valuation notices would be sent out June 1<sup>st</sup>. She also mentioned that if there was storm damage on homes this couldn't be addressed this year because the assessment date is January 1<sup>st</sup>.

16 COMMECNE AUDIT OF BI WEEKLY PAY CLAIMS AND REGULAR CLAIMS AND ACTION ON CLAIM AUDIT – Jeffries made a motion and Humiston seconded to approve the bi weekly claims and the regular claims and authorize the clerk to pay. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

18 DISCUSS AND TAKE ACTION ON ROAD REPAIR FROM STORM DAMAGE – Dan Hostler stated that because of all the damage caused by the storm he does not have enough dollave been let have been completed. Dan stated that he did an inventory yesterday and took pictures and there are 150 places that where damaged, fortunately only 3 bridges were affected. In some of the ditches east of Wood River the cornstalks are 3 foot deep in the ditches. He is concerned that he may not be able to obtain enough clay to do the repairs. FEMA will be her tomorrow and they hope to show them the areas that are in need of repair. He stated that he estimates about\$250,000.00 would be needed for the road repairs from the storm.

Jeffries questioned if the county would be able to get help from FEMA and Mr. Hostler stated that he was not sure. He stated that some of their regulations require that the damage be 500 feet long so a lot of the damage will not qualify for any funding. He noted that one spot required 46 loads of dirt to fill the hole. Many times the assistance that is received only includes the products to repair and not the labor and equipment. If FEMA does not pay Hall County will have to stand all of the costs. Mr. Hostler stated that there have been two accidents caused from the damaged roads. He also noted that it will take all summer to complete the repairs, but one good thing is that the county did not loose an oil road.

Lancaster suggested that the county put all new construction on hold until the repairs are done. Even if FEMA does reimburse the county it may take two years to receive the reimbursement funding. The road department budget does not have any extra funds to cover all of these expenses.

Hartman suggested using inheritance fund dollars to cover the costs. A separate line item could be used to help keep tract of the costs. The inheritance fund is the only place

there are enough funds unless keno funds could be used to pay back the inheritance fund. Jeffries suggested using \$100,000.00 from the keno funds to help with the repairs and not accept keno applications for this year.

Stacey stated she estimates that the county may have only \$230,000.00 that may be available for this year. The board stated that the allocation to the events center would be evaluated each year. Discussion was held to fund specific services and the remainder could be used for the road repairs.

Lancaster stated that it is relatively clear the county will not be accepting keno applications this year. It may be best to forget all of the other funding request for one year to help with the road situation.

Hartman questioned who would receive the funding and was also concerned that the little leagues will not be funded.

Lancaster stated the board needs to make a decision whether or not they will accept applications this year.

Arnold made a motion and Eriksen seconded to not accept keno applications this year. Arnold, Eriksen, Humiston, Jeffries, Lancaster and Rye all voted yes and Hartmann voted no. Motion carried.

Dan will work on funding projects through the inheritance fund. The overlay for Chapman Road will come out of his budget and then he will address the other projects. Mr. Hostler stated that the same day of the flood hit he received a letter that the contaminated fuel site at 2900 West Second Street will be reopened. This site was closed in 1992 and if it were reopened there would be a minimum of \$25,000.00 that the county would have to pay for the testing. Mr. Hostler questioned Deputy County Attorney Michelle Oldham if they could do this. She will review and get back to him.

8 DISCUSS FILLING VACANCY FOR PARKS/BUILDING & GROUNDS DIRECTOR – Jeffries requested an executive session. Jeffries made a motion and Rye seconded to go into executive session. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

11:50 a.m. executive session

12:40 a.m. Hartman made a motion and Arnold seconded to go out of executive session. Arnold, Eriksen, Hartman, Humiston, Jeffries, Lancaster and Rye all voted yes and none voted no. Motion carried.

BOARD MEMBERS REPORTS Hartman – He stated that he helped with the flooding and everyone did a good job.

Humiston – no report

Eriksen – no report

Rye – no report

Jeffries – He stated that he has an estimate on the demolition of the building at 333 South Locust Street if the board members are interested.

Arnold – no report

Lancaster – she stated that the personnel committee met Monday regarding the airport authority vacancy and the county received 7 applications. It was suggested that the entire board meet to do the interviews. She asked the board what process they wanted to follow. Discussion was held and the board will hold a work-study session on Monday May 23, at 5:00 p.m. to do the interviews and make a decision that night. It will be ratified at the next board meeting on May 31<sup>st</sup>. A list of question will be prepared and the interviews will be ten minutes each.

NEW OR UNFINISHED BUSINESS – Chairman Lancaster called for new or unfinished business and no one responded.

Meeting adjourned. The next meeting will be May 31<sup>st</sup> at 9:00 a.m.

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Marla J. Conley Hall County Clerk